

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

July 12, 2004

**Re:   Invention:**                   **Process to Fracture Connecting  
Rods and the Like with Resonance-Fatigue**

**Application No.:**               **10/643,910**

**Art Unit:**                       **3724**

**Examiner:**                   **Stephen Choi**

**Filed on:**                   **August 20, 2003, which is pending claims the  
benefit of 09/599,409**

**Inventor:**                   **Guirgis, Sameh**

The Commissioner of Patents and Trademarks  
WASHINGTON, D.C.  
U.S.A. 20231

Dear Sirs:

**Response to Office Action**

Applicant acknowledges receipt of the Office action mailed on June 15, 2004, and responds to the action as follows:

1. Applicant elects the invention of group III namely claims 4, 8 and 11 and respectfully requests that the elected invention to be prosecuted.
2. Applicant respectfully acknowledges that the restriction requirement is traversed for the following reason: group I, namely claims 2 and 6, are drawn to a process requiring the frequency of the harmonic force being substantially the same as a selected natural frequency of a structural system that idealizes the constrained (i.e. clamped at some points) part, while base claims 1 and 5 are drawn to a process requiring that a resonance condition being achieved in a constrained part. In fact; in order to achieve a resonance condition in a constrained part; the frequency of the applied harmonic force MUST be the same as one of the natural frequencies of that part. In other words, the process of group III (the elected invention) REQUIRES that the frequency of

the applied harmonic force to be substantially the same as one of the natural frequencies of the part as claimed in claims 2 and 6 of group I. Therefore, the claims of groups I and III are not separately usable and the two groups do not constitute inventions that are distinct from each other.

Applicant respectfully states that the application is now in condition for immediate allowance and respectfully solicits same.

Yours truly,

*Sameh Guirgis*  
Sameh Guirgis